

AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-9664 - APPLICANT/OWNER: SAGEBRUSH CANTINA, LLC

THIS ITEM WAS TABLED AT THE DECEMBER 21, 2005 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for service station use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-9662), Special Use Permit (SUP-9665), and Site Development Plan Review (SDR-9666).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Service Station adjacent to the southwest corner of Oso Blanca Road and Kyle Canyon Road.

B) Applicant's Justification

The applicant states that the benefits of this project are in line with the goals, objectives, and policies of the Centennial Hills Sector Plans goals and objectives. The applicant notes that the proposed use can be operated in a manner that is harmonious and compatible with the surrounding area.

BACKGROUND INFORMATION

A) Related Actions

There is no property history related to this site.

11/17/05 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #39/ng).

B) Pre-Application Meeting

09/23/05 A pre application meeting was held where it was noted that there would be a future conflict with the northern beltway, the applicant would be responsible for off-site improvements and the elements of the Site Plan and associated applications were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 2.48

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped
South: Undeveloped
East: Undeveloped
West: Undeveloped

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
North: SC (Service Commercial)
South: SC (Service Commercial)
East: SC (Service Commercial)
West: PCD (Planned Community Development)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [SC (Service Commercial) General Plan Designation]
North: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
U (Undeveloped) [SC (Service Commercial) General Plan Designation]
South: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]
East: U (Undeveloped) [SC (Service Commercial) General Plan Designation]
West: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation]

E) *General Plan Compliance*

The subject property is designated as SC (Service Commercial) under the Centennial Hills Sector Plan of the General Plan. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. This category also includes offices either individually or grouped as office centers with professional and business services. This category includes the neighborhood and Village Center concept areas. The subject property is located in a Village Center concept area per the Centennial Hills Sector Concept Land Use Map. The property was annexed into the City of Las Vegas from Clark County in 2005. The Clark County land use designation was Service Commercial and per the Interlocal Agreement the subject properties land use remained Service Commercial as it had been with Clark County. This Special Use Permit conforms to applicable General Plan Policies and the regulations of the C-1 (Limited Commercial) District.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment		X
Project of Regional Significance	X	

This project requires two Special Use Permits within 500 feet of the Clark County boundary and is therefore a "Project of Regional Significance".

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Convenience Store	3,626 SF.	1/250 GFA	15			
Tavern	3,076 SF. 3,368 SF.	1/50 GFA 1/200 GFA	79			
Total			94	4	95	4

The subject property is in compliance with Title 19.10 parking requirements.

A2) Minimum Distance Separation Requirements

There are no Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed service station use.

Pursuant to Title 19.08, the following Standards apply to the subject proposal:

Standards	Code Requirement	Provided
Trash Enclosure	Minimum of 50 Feet from any property line of a protected property.	Y

The proposed Service Station is in compliance with all standards.

B) General Analysis and Discussion

- Zoning

There is a related request for Rezoning (ZON-9662) to go from U (Undeveloped) [SC (Service Commercial) General Plan Designation] to C-1 (Limited Commercial) with this Special Use Permit request. The proposed use as a Service Station would be allowed with the approval of the Rezoning request and would be subject to the conditions of approval of the Rezoning.

- Use

The proposed use as a Service Station is permitted in the proposed C-1 zoning district with the approval of a special use permit. The Service Station use is subject to the following provisions.

All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

- The dispensing of petroleum products, water and air from pump islands.
- The provision of emergency service of a minor nature.
- The sale of items via vending machines which shall be located next to the main structure.
- Pump islands shall be located a minimum of 20 feet from a street right-of-way line. A canopy or roof structure over a pump island may be located no closer than 10 feet from the street right-of-way line.
- No vehicle shall be parked on the premises for the purpose of offering the vehicle for sale.
- No used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area outside the main structure.
- Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
- The installation of LPG tanks shall only be permitted as allowed in Section 19.04.060 (B).

- Conditions

There are no special conditions of approval associated with this application.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The surrounding land is currently undeveloped. The property is located near an interchange and has been designated as a Village Center on the Centennial Hills Sector Concept Land Use Map. The majority of the properties near the interchange are designated for commercial uses. The proposed use, as a Service Station and Liquor Establishment (Tavern) would be compatible with future surrounding land use and development.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject property is currently undeveloped. The site is 2.48 acres and has adequate size and access to provide for the proposed uses.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The proposed development will be located on the corner of Kyle Canyon and Oso Blanca. This location is just west of the intersection of Kyle Canyon and US 95. These roads will provide adequate access to and from the proposed development.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The site would be subject to frequent inspections and would not compromise public health or safety.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 46

APPROVALS 0

PROTESTS 0